

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X-----X

GILEAD SCIENCES, INC.,

Plaintiff,

-against-

**DISCLOSURE PURSUANT TO
RULE 26**

Docket No. 08 CV 0566 (DLC)(GWG)

ABRAHAM T. MORRISON,

Defendant.

X-----X

Following are defendant required disclosures, pursuant to Federal Rules of Civil Procedure (FRCP) Rule 26(a)(1):

(A). Defendants past supervising physician Dr. Tony Chueng of Mt. Sinai Hospital, in New York, NY, who monitored defendant medical condition during the study conducted by Plaintiff ;

Defendant current treating doctors and health professionals:

Patrick Palton, M.D.
99 University Avenue
New York, New York

William Grace, M.D.
New York, New York

(B). Defendant medical records maintained by Plaintiff during defendant participation in a clinical experiment conducted by the Plaintiff, a copy of such medical records is already in Plaintiff possession.

Medical records maintained by Dr. Palton; Dr. Grace; Memorial Sloan-Kettering Hospital, New York, New York and Calvary Hospital, Bronx, New York.

Authorizations for all of defendant medical records with the above-named doctors and other health professionals will be provided to plaintiff attorney under separate cover.

(C). Category of damages claimed by defendant: damages for medical injuries to defendant internal organs including but not limited to defendant kidneys;

Damages for decrease in defendant life expectancy;

Damages for pain and suffering;

Damages for compensation due and owing to the defendant for services performed in plaintiff medical study;

Damages in the discretion of the Court for such other and further relief as to the Court may seem just and proper;

Counsel fees and expert witness fees as the Court may deem reasonable under the circumstances.

This computation is based on the extensive injuries suffered by defendant due to participation in plaintiff medical experiment and on compensation due and owing to the defendant for services rendered through participation in plaintiff study. Authorizations will be sent to plaintiff counsel under separate cover.

(D). Defendant has no insurance agreement in connection with this case.

(E). Not applicable.

Defendant reserves the right to amend the above in accordance with Federal Rules of Civil procedure.

Dated: May 30, 2008
New York, NY

s/Paul E. Kerson
PAUL E. KERSON
Leavitt, Kerson & Duane
Attorneys for Plaintiff
99 Park Ave., Suite 800
New York, NY 10016
(212) 973-9339

STATE OF NEW YORK, COUNTY OF QUEENS ss.:

STACEY SHOWALTER, being duly sworn says: I am not a party to the action, am over 18 years of age and reside at Queens County.

On May 30, 2008, I served a true copy of the annexed DISCLOSURE PURSUANT TO RULE 26 in the following manner:

Service By Mail By mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:

Personal Service on Individual By delivering the same personally to the persons and at the addresses indicated below:

By transmitting the same to the attorney by electronic means to the telephone number or other station or other

Service by Electronic Means limitation designated by the attorney for that purpose. In doing so I received a signal from the equipment of the attorney indicating that the transmission was received, and mailed a copy of same to that attorney, in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:

Overnight Delivery Service By depositing the same with an overnight delivery service in a wrapper properly addressed. Said delivery was made prior to the latest time designated by the overnight delivery service for overnight delivery. The address and delivery service are indicated below:

Carmine Castellano, Esq.
Bainton, McCarthy LLC
Attorneys for Plaintiff
26 Broadway, Suite 2400
New York, NY 10004-1840

Sworn to before me on May 30, 2008

a/Alexandra Mishail

s/Stacey Showalter
Stacey Showalter

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DISCLOSURE PURSUANT TO RULE 26

LEAVITT, KERSON & DUANE

Attorneys for Plaintiff
99 Park Ave., Suite 800
New York, NY 10016
(212) 973-9229
Fax (212) 973-9494

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certified that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: May 30, 2008

Signature: s/Paul E. Kerson

Print Signer Name Paul E. Kerson

Service of a copy of the within

is hereby admitted.

Dated:

.....
Attorney(s) for

PLEASE TAKE NOTICE

Notice of Entry that the within is a (certified) true copy of a
entered in the office of the clerk of the within Court on

Notice of Settlement that an Order of which the within is a true copy will be presented for settlement to the
Hon. one of the judges of the within named Court,
at
on , at a.m.

LEAVITT, KERSON & DUANE

Attorneys for Plaintiff
99 Park Ave., Suite 800
New York, NY 10016

